

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

EMON DAWKINS,

Plaintiff(s),

**CASE NUMBER: 06-12053
HONORABLE VICTORIA A. ROBERTS**

v.

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant(s).

**ORDER DENYING PLAINTIFF'S
MOTION FOR RECONSIDERATION**

On September 24, 2007, the Court granted Defendant Commissioner of Social Security's Motion for Summary Judgment (Doc. #20). The Court adopted Magistrate Judge Donald Scheer's Report and Recommendation. Plaintiff asks that the Court reconsider its decision (Doc. #22). Plaintiff's motion is denied.

Eastern District of Michigan Local Rule 7.1(g)(3) provides for reconsideration if the movant demonstrates a palpable defect by which the court and the parties have been misled, and further demonstrates that correcting the defect will result in a different disposition of the case. "A 'palpable defect' is a defect which is obvious, clear, unmistakable, manifest, or plain." *Fleck v. Titan Tire Corp.*, 177 F.Supp.2d 605, 624 (E.D. Mich. 2001). "[T]he court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication." L.R. 7.1(g)(3).

Plaintiff failed to identify a palpable defect in the Court's ruling. He merely

asserts arguments the Court already considered and rejected. Therefore, Plaintiff's Motion for Reconsideration is **DENIED**.

IT IS ORDERED.

s/Victoria A. Roberts

Victoria A. Roberts

United States District Judge

Dated: October 15, 2007

The undersigned certifies that a copy of this document was served on the attorneys of record and Emon Dawkins by electronic means or U.S. Mail on October 15, 2007.

s/Linda Vertriest

Deputy Clerk